

**S667. Adulteration and misbranding of Mumm's Champagne. U. S. \* \* \* v. 26 Cases of Mumm's Champagne. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12909. I. S. Nos. 14662-r, 14663-r. S. No. E-2343.)**

On June 15, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases of Mumm's Champagne, consigned by H. G. Mumm & Co., New York, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about March 16, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance other than unfermented nonalcoholic champagne had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged in substance in the libel for the reason that the package in which the article was enclosed contained a label which bore the following statement, regarding the article and the ingredients and substances contained therein, "H. G. Mumm & Co.'s Extra Dry Champagne Non-alcoholic," which was false and misleading in that the product was a mixture prepared from grape and apple juices, sweetened with sugar, artificially flavored and artificially carbonated. Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S668. Adulteration of canned salmon. U. S. \* \* \* v. 5,695 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 13006. I. S. No. 3968-r. S. No. W-627.)**

On or about July 8, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5,695 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., Waterfall, Alaska, arriving at Seattle, Wash., on or about November 5, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Co. Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On July 30, 1920, the American Oriental Sales Corporation, L. C. Smith Bldg., Seattle, Wash., claimant, having filed a claim and answer to the libel, and it appearing to the court that the evidence produced by libelant in support of the libel was sufficient to establish the allegations of said libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the pro-